

On motion of Senator Ellis, Senator Shepard was excused.

The President announced the question as follows: "Are the cause or causes set forth in the address against Judge L. W. Cooper, sufficient to vote his removal from said office?"

YEAS—Senators Ball, Baker, Bradshaw, Bradley, Camp, Davenport, Dillard, Ellis, Friend, Hobby, Ireland, Joseph, Parker, Swift and Westfall—15.

NAYS—Senators Burton, Dwyer, Erath, Flanagan, Ledbetter, Morris, Moore, Randle and Stirman—9.

It requiring two-thirds of the Senate to vote said address, it was not voted.

On motion of Senator Dwyer, the Senate adjourned.

#### SIXTY-FIRST DAY.

SENATE CHAMBER,  
Austin, March 27, 1874. }

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read and adopted.

On motion of Senator Westfall, Secretary J. F. Beall was excused for the day, on account of sickness.

On motion of Senator Ball, Senator Dillard was excused indefinitely, on account of sickness in his family.

Senator Westfall presented a memorial from G. W. Honey, late Treasurer, "asking pay as State Treasurer during time of late suspension from duty, by order of process against him by the executive." Read and referred to Committee on Finance.

Senator Russell offered a petition in behalf of Mrs. A. A. Hamlet, "on account of depredations by Indians." Read and referred to Committee on State Affairs.

Senator Wood presented a memorial of citizens of Keechi, Leon county, "asking for a special peace officer in said village." Read and referred to Judiciary Committee.

Senator Wood presented a petition of Sam A. Reavis, "in reference to the assessment of taxes." Read and referred to Committee on Finance.

Senator Bradley, for committee on address against Judge

Maney, presented the following report, which was read and adopted:

*Hon. R. B. Hubbard, President of the Senate:*

The joint committee to whom was referred the address against the Hon. Henry Maney, judge of the Twenty-second Judicial District, have summoned the said Judge Maney to appear and answer to the charges preferred against him; and he having appeared and answered, they have taken and had printed the evidence in said case, which is herewith submitted. We recommend that said cause be set for trial on Monday, the thirtieth day of March, instant, at 10 A. M., before the Senate and House of Representatives, in joint session. The committee further recommend, that Major H. M. Jackson and Major W. M. Walton be allowed to appear as counsel on the part of the State, and the Hon. G. W. Jones, and respondent himself, on the part of said respondent.

A. BRADSHAW, Chairman.

L. D. BRADLEY,

J. E. DWYER,

Senate Committee.

On motion of Senator Bradley, the rules were suspended, report taken up and adopted.

Senator Westfall introduced joint resolution, "making appropriation to pay the claims of C. R. Hughes and C. H. Randolph." Read and ordered to lie on the table.

Senator Bradley introduced a bill entitled "An Act to amend an act entitled 'an act to regulate proceedings in the district court,' " approved May 13, 1846. Read first time and referred to Judiciary Committee.

Senator Bradley introduced a bill entitled "An Act to amend 'an act to define the civil rights of aliens,' " approved February 13, 1854. Read first time and referred to Judiciary Committee.

Senator Wood introduced a bill entitled "An Act to require sheriffs in certain cases to execute new bonds." Read first time and referred to Judiciary Committee.

Senator Wood introduced a bill entitled "An Act to incorporate the trustees of the Jenett Academy." Read first time and referred to Committee on Education.

Senator Bradley called up the following resolution offered by him on yesterday:

*Resolved by the Senate*, the House concurring therein,  
First: That the Fourteenth Legislature adjourn *sine die* at 12 m., on the tenth day of April, proximo.

Second: That from and after the first day of April, preceding said adjournment, no bill or concurrent or joint resolution shall be introduced or received.

Senator Ireland moved a division of the question, so as to vote on the resolutions separately. Adopted.

Senator Swift moved to amend the first resolution by inserting the "first day of May," in lieu of the words "tenth day of April." Lost by the following vote:

YEAS—Senators Ball, Baker, Dwyer, Flanagan, Ledbetter, Moore, Randle and Russell—8.

NAYS—Senators Allison, Bradley, Bradshaw, Burton, Camp, Ellis, Erath, Friend, Hobby, Ireland, Joseph, Morris, Parker, Shepard, Stirman, Swift, Westfall and Wood—18.

Senator Ireland moved that the resolution lie on the table until the eighth day of April. Lost by the following vote:

YEAS—Senators Baker, Dwyer, Ellis, Flanagan, Ireland, Ledbetter, Morris, Moore, Randle, Russell, Shepard and Swift—12.

NAYS—Senators Allison, Ball, Bradshaw, Bradley, Burton, Camp, Erath, Friend, Hobby, Joseph, Parker, Stirman, Westfall and Wood—15.

Senator Ireland moved to amend by striking out the word "tenth," and inserting the word "third."

Senator Erath moved to amend by striking out the word "tenth," and inserting the word "twenty-first." Lost.

Senator Dwyer moved to strike out the word "tenth," and insert the word "fifteenth." Lost.

Senator Friend moved to strike out the word "tenth," and insert the word "thirteenth." Lost by the following vote:

YEAS—Senators Allison, Bradshaw, Bradley, Camp, Dwyer, Friend, Joseph, Parker, Shepard, Stirman and Westfall—11.

NAYS—Senators Ball, Baker, Burton, Ellis, Erath, Flanagan, Hobby, Ireland, Ledbetter, Morris, Moore, Randle, Russell, Swift and Wood—15.

The question then recurred, on the motion of Senator Ireland, to strike out the word "tenth," and insert the word "third." Lost by the following vote:

YEAS—Senators Allison, Bradshaw, Burton, Flanagan,

Ireland, Ledbetter, Moore, Randle, Shepard and Wood—10.

NAYS—Senators Ball, Baker, Bradley, Camp, Dwyer, Ellis, Erath, Friend, Hobby, Joseph, Morris, Parker, Russell, Stirman, Swift and Westfall—16.

Senator Flanagan moved that the resolution be referred to a special committee of three. Adopted.

Senator Ireland then moved the adoption of the second resolution.

Senator Ellis offered to amend by adding the words "unless by a two-thirds vote of the Senate." Lost.

Senator Hobby offered to add the words, "except such resolutions as do not require the signature of the Governor." Adopted.

The question then recurring on the adoption of the second resolution, as amended, it was adopted by the following vote :

YEAS—Senators Allison, Ball, Bradshaw, Bradley, Burton, Camp, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Parker, Randle, Stirman, Swift and Westfall—21.

NAYS—Senators Baker, Moore and Shepard—3.

A message was received from the House announcing the passage of the following bills: Senate bill, No. 64, "An Act amendatory of an act supplementary to 'an act authorizing the disposition and sale of the University lands,' approved August 30, 1856," approved November 12, 1866, with amendments by the House; House bill, No. 189, "An Act to amend section one of 'an act to authorize the police court of Collin county to levy and collect a special tax for the purpose of building a courthouse and jail in said county;'" House bill, No. 187, "An Act to make an appropriation to complete the buildings of the Agricultural and Mechanical College of Texas;" also, the passage of Senate concurrent resolution, "fixing Monday, March 30, 1874, at 10 A. M., as the time for the consideration of the causes set forth in the address against Judge Henry Maney, of the Twenty-second Judicial District;" also, the passage of House concurrent resolution "instructing our Senators and Representatives in Congress to render all possible aid to the tax-paying citizens of Louisiana, in their efforts to establish a republican form of government, etc.;" also, the passage of House concurrent resolution "to appoint a joint committee on tax bureau in Comptroller's office," and announcing that the House had appointed

Representatives Watts, Stewart, of Montgomery, and Linn as said committee on the part of the House.

Senator Westfall moved that the rules be suspended to take up the joint resolution offered by him this morning, "appropriating two hundred and five dollars to pay claims of C. R. Hughes and C. H. Randolph." Lost.

Senator Ireland presented the following additional charges against Judge S. B. Newcomb, of the Twenty-fifth Judicial District.

(For charges see evening session of House.)

They were adopted, ordered spread on the journals, and sent to the House.

Senator Friend, chairman Committee on Roads, Bridges and Ferries, by leave, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 250, "An Act to regulate public roads," have had the same under consideration, and report that the matters contained in said bill are already provided for in a bill now before the Senate, and it is recommended that the same do not pass.

W. R. FRIEND, Chairman.

Senator Parker moved that the rules be suspended to take up Senate bill No. 232, "An Act to authorize county courts to build bridges," etc. Lost.

The special order being the substitute for Senate bill No. 136, "An Act to extend the time for the construction of works of internal improvements," it was taken up.

Senator Wood withdrew the pending amendment thereto, heretofore offered by him.

Senator Camp moved that the bill be postponed to next Tuesday, at 11 A. M. Lost by the following vote:

YEAS—Senators Bradshaw, Camp, Ellis, Joseph, Morris, Moore, Parker, Russell and Shepard—9.

NAYS—Senators Ball, Baker, Bradley, Burton, Dwyer, Erath, Flanagan, Friend, Hobby, Ireland, Ledbetter, Randle, Stirman, Westfall and Wood—16.

Senator Ireland moved that the bill be indefinitely postponed. Lost by the following vote:

YEAS—Senators Bradshaw, Ireland, Moore, Parker and Shepard—5.

NAYS—Senators Ball, Baker, Bradshaw, Burton, Camp,

Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Joseph, Ledbetter, Morris, Randle, Russell, Stirman, Swift, Westfall and Wood—20.

Senator Wood offered the following amendment: Add to the end of section one the following words, "*Provided*, that this act shall not revive any right to subsidy of lands, money or bonds, now lapsed, or forfeited, by reason of the non-compliance by any company with the terms of its charter or law, by reason of which said company is entitled to any subsidy of money, land, or bonds;" and "*provided further*, that any right of any company not now lapsed or forfeited, is, by this act, extended."

Senator Parker offered the following, as an amendment to the amendment offered by Senator Wood: "*Provided*, that the county of Titus shall be forever released from all obligations to pay a subsidy of two hundred thousand dollars, or any part thereof, which was voted to the East Line and Red River Railroad Company by the citizens of said county, in the month of July, 1872." Lost.

A message was received from the House, announcing the passage of House joint resolution No. 21, "Making an appropriation for printing reports of departments."

Senator Dwyer offered the following as an amendment to the amendment offered by Senator Wood: "Nor shall it be construed as affecting or interfering in any manner, with any contract that railroad companies have made with counties, cities, or towns."

Senator Bradshaw moved to lay the amendment to the amendment on the table. Lost by the following vote:

YEAS—Senators Bradshaw, Bradley, Hobby, Moore and Wood—5.

NAYS—Senators Ball, Baker, Burton, Camp, Dwyer, Erath, Flanagan, Friend, Ireland, Joseph, Ledbetter, Morris, Parker, Stirman, Swift, Shepard and Westfall—16. The amendment was lost.

Senator Moore offered the following as an amendment to the amendment offered by Senator Wood: "*Provided further*, that the provisions of this act shall apply to no company that have not built and put in running order as much as ten miles of road, by the time the charter expires, which said company now holds under previous acts of the Legislature."

Senator Swift moved to lay the amendment to the amendment on the table.

The vote was taken with the following result :

YEAS—Senators Ball, Barker, Burton, Camp, Dwyer, Ellis, Erath, Flanagan, Friend, Swift and Wood—11.

NAYS—Senators Bradshaw, Bradley, Hobby, Ireland, Joseph, Ledbetter, Morris, Moore, Parker, Shepard and Stirman—11.

The vote being evenly divided, the President of the Senate voted in the negative, so the proposition to lie on the table was not carried.

Senator Dwyer moved a call of the Senate. Call sustained.

Absent—Senators Randle, Russell and Westfall.

The sergeant-at-arms was dispatched for absent Senators.

The absent Senators were announced as being present.

On motion of Senator Ball, the call was suspended.

The question then recurring on the adoption of the amendment to the amendment, as offered by Senator Moore, it was lost by the following vote :

YEAS—Senators Bradshaw, Hobby, Ireland, Moore, Parker, Russell and Shepard—7.

NAYS—Senators Ball, Baker, Bradley, Burton, Camp, Dwyer, Ellis, Erath, Friend, Joseph, Ledbetter, Morris, Randle, Stirman, Swift, Westfall and Wood—17.

The question then recurring on the adoption of the amendment offered by Senator Wood, it was adopted.

Senator Ireland offered the following amendment : *Provided*, The railway company known as the Galveston, Harrisburg and San Antonio Railway Company, chartered by an act passed July 27, 1870, shall not be entitled to the benefits of this bill, unless it shall build its road through the town of Seguin and establish and maintain a freight and passenger depot within one half mile of the court house, in said town.

Senator Bradshaw offered the following, as an amendment to the amendment offered by Senator Ireland : And, *provided, further*, That this act shall not apply to, or in any way relieve the Texas and Pacific Railway Company from their existing obligations of constructing their road within the time now required by law, unless said company shall construct, complete, equip and put in good running order so much of their chartered railway as extends from the city of Dallas to the county line of Tarrant county by the fifteenth of November, 1874. Lost by the following vote :

YEAS—Senators Bradshaw, Erath, Hobby and Shepard—4.

NAYS—Senators Ball, Baker, Bradley, Burton, Camp, Dwyer, Ellis, Flanagan, Friend, Ireland, Joseph, Ledbetter, Morris, Moore, Parker, Randle, Russell, Swift, Westfall and Wood—20.

The question then recurring on the adoption of the amendment offered by Senator Ireland, it was adopted by the following vote :

YEAS—Senators Bradshaw, Bradley, Camp, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Ledbetter, Morris, Moore, Parker, Russell, Shepard, Stirman, Westfall and Wood—18.

NAYS—Senators Ball, Baker, Burton, Flanagan, Joseph and Swift—6.

Senator Parker offered the following amendment: *Provided*, that the Houston and Great Northern Railroad Company shall build their road to the town of Clarksville, in Red River county, according to the terms of the charter of said company. Lost by the following vote :

YEAS—Senators Bradshaw, Flanagan, Parker and Shepard—4.

NAYS—Senators Ball, Baker, Bradley, Burton, Camp, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Randle, Russell, Stirman, Swift, Westfall and Wood—20.

The question recurring on the engrossment of the bill, as amended, it was ordered engrossed, by the following vote :

YEAS—Senators Ball, Baker, Bradley, Burton, Camp, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Ledbetter, Randle, Russell, Stirman, Swift, Westfall and Wood—18.

NAYS—Senators Bradshaw, Flanagan, Joseph, Morris, Parker and Shepard—6.

Senator Ball moved to suspend the rules, to put the bill on its third reading.

Lost by the following vote—it requiring a four-fifths vote to suspend the rules :

YEAS—Senators Ball, Baker, Bradley, Burton, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Ledbetter, Randle, Russell, Shepard, Stirman, Swift, Westfall and Wood—18.

NAYS—Senators Bradshaw, Camp, Flanagan, Joseph, Morris and Parker—6.



On motion of Senator Wood, Senator Hobby was excused for five days.

On motion of Senator Burton, the Senate adjourned.

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SIXTY-SECOND DAY.

SENATE CHAMBER,  
Austin, March 28, 1874. }

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read and adopted.

A message was received from the House announcing that the House had concurred in Senate amendments to House bill, No. 128, "An Act to provide for the protection of the frontier of the State of Texas against the invasion of hostile Indians, Mexicans, or other marauding or thieving parties," except sections 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29.

The President of the Senate announced that he had appointed Senator Shepard on the following committees: Judiciary, Internal Improvements, Constitutional Amendments, and State Affairs.

Senator Baker, chairman Finance Committee, submitted the following reports:

*Hon. R. B. Hubbard, President of the Senate:*

The Committee on Finance, to whom was referred House joint resolution, No. 22, "Authorizing the Governor to settle the claim of George W. Paschal," have duly considered the same and recommend that it be passed.

W. R. BAKER, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

The Committee on Finance; to whom was referred the memorial of George W. Honey, late Treasurer of the State, "asking allowance of salary, claimed for the time the office was occupied by Graham," instruct me to report that a joint committee of the two houses of this Legislature have reported at this session on an examination of the accounts of the said Honey, as treasurer; that he owes the State a large sum, much larger than the amount claimed by him,